

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

YOLANDA JEAN BATEMAN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:24-cv-01092-JDB-cgc
)	
MARTIN O'MALLEY,)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

ORDER GRANTING SENTENCE FOUR REMAND

Before the Court is the unopposed motion of the Defendant, the Commissioner of Social Security (the “Commissioner”), to reverse the decision of the Administrative Law Judge (“ALJ”) and remand this action to the Commissioner pursuant to sentence four of section 205(g), 42 U.S.C. § 405(g). (Docket Entry (“D.E.”) 19.) The Commissioner, after reviewing Plaintiff’s briefing in this appeal, requests remand to allow the ALJ to further develop the record.

Remand will expedite administrative review, ensure that the Commissioner has the opportunity to fully consider Plaintiff’s claim, and may ultimately make judicial review unnecessary. Remand by this Court is appropriate under § 405(g), which provides:

The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.

See also Melkonyan v. Sullivan, 501 U.S. 89 (1991); *Newkirk v. Shalala*, 25 F.3d 316, 318 (6th Cir. 1994).

For the foregoing reasons, and pursuant to the United States Supreme Court’s decision in

Shalala v. Schaefer, 509 U.S. 292 (1993), the Court hereby enters judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure reversing the decision of the ALJ and remanding this case to the Commissioner under sentence four of § 405(g). In light of the remand granted herein, the order referring this case to the magistrate judge, entered July 18, 2024, (D.E. 13), is hereby vacated.

IT IS SO ORDERED this 7th day of October 2024.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE